

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

FILED BY gf D.C.

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THOMAS M. GOULD
CLERK, U.S. DISTRICT COURT
W/D OF TENN. - MEMPHIS

ANDERSON-TULLY COMPANY,)
)
Plaintiff,)
)
v.)
)
FEDERAL INSURANCE COMPANY,)
CHUBB CORPORATION, AON RISK)
SERVICES, INC. OF MISSOURI, and)
AON FINANCIAL SERVICES GROUP,)
INC.,)
)
Defendants.)
)

Civil Action No. 05-2627 - D/An

RULE 16(b) SCHEDULING ORDER

Pursuant to the scheduling conference set by written notice, the following dates are established as the final dates for:

INITIAL DISCLOSURES (RULE 26(a)(1)): November 10, 2005
JOINING PARTIES:

for Plaintiff: January 13, 2006
for Defendant: February 13, 2006

AMENDING PLEADINGS:

for Plaintiff: January 13, 2006
for Defendant: February 13, 2006

COMPLETING ALL DISCOVERY: October 6, 2006

(a) **REQUESTS FOR PRODUCTION,
INTERROGATORIES and
REQUESTS FOR ADMISSIONS:** October 6, 2006

(b) **EXPERT DISCLOSURE (Rule 26(a)(2)):**

- | | | |
|-------|-----------------------------------|-------------------|
| (i) | Plaintiff's Experts: | July 7, 2006 |
| (ii) | Defendant's Experts: | August 25, 2006 |
| (iii) | Supplementation under Rule 26(e): | September 4, 2006 |

(c) **DEPOSITIONS OF EXPERTS:** October 6, 2006

FILING DISPOSITIVE MOTIONS: November 6, 2006
FINAL LISTS OF WITNESSES AND EXHIBITS (Rule 26(a)(3)):

- | | | |
|-----|----------------|----------------------|
| (a) | for Plaintiff: | 45 days before trial |
| (b) | for Defendant: | 30 days before trial |

Parties shall have 10 days after service of final lists of witnesses and exhibits to file objections under Rule 26(a)(3).

The trial of this matter is expected to last 5 days. The presiding judge will set this matter for **JURY TRIAL**. In the event the parties are unable to agree on a joint pretrial order the parties must notify the Court at least ten days before trial.

OTHER RELEVANT MATTERS:

Pursuant to the Notice of Dismissal filed by Anderson-Tully Company, it is hereby **ORDERED** that Chubb Corporation and Chubb Corporation a/k/a Chubb Group of Insurance Companies are dismissed from this lawsuit without prejudice, and that Anderson-Tully Company is hereby granted leave to amend its Complaint for the purpose of deleting all references to Chubb Corporation and Chubb Corporation a/k/a Chubb Group of Insurance Companies.

Interrogatories, Requests for Production and Requests for Admissions must be submitted to the opposing party in sufficient time for the opposing party to respond by the deadline for completion of discovery. For example, if the FRCP allow 30 days for a party to respond, then the discovery must be submitted at least 30 days prior to the deadline for completion of discovery.

Motions to compel discovery are to be filed and served by the discovery deadline or within 30 days of the default or service of the response, answer, or objection which is the subject of the motion if the default occurs within 30 days of the discovery deadline, unless the time for filing of such motion is extended for good cause shown, or any objection to the default, response, or answer shall be waived.

The parties are reminded that pursuant to Local Rule 7(a)(1)(A) and (a)(1)(B), all motions, except motions pursuant to FRCP 12, 56, 59, and 60, shall be accompanied by a proposed Order and a Certificate of Consultation.


The opposing party may file a response to any motion filed in this matter. Neither party may file an additional reply, however, without leave of the Court. If a party believes that a reply is necessary, it shall file a motion for leave to file a reply accompanied by a memorandum setting forth the reasons for which a reply is required.

The parties have not at this time consented to trial before the Magistrate Judge. The Magistrate Judge can normally provide the parties with a definite trial date that will not be continued unless a continuance is agreed to by all parties, or an emergency arises which precludes the matter from proceeding to trial.

The parties are ordered to engage in court-annexed attorney mediation or private mediation on or before the close of discovery.

This order has been entered after consultation with trial counsel pursuant to notice. Absent good cause shown, the scheduling dates set by this Order will not be modified or extended.

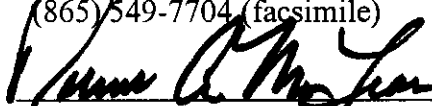
IT IS SO ORDERED.


S. THOMAS ANDERSON
UNITED STATES MAGISTRATE JUDGE
Date:

APPROVED FOR ENTRY BY:


 FOR

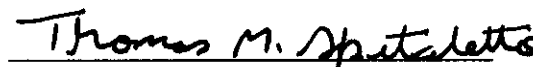
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Notice of Distribution

This notice confirms a copy of the document docketed as number 21 in case 2:05-CV-02627 was distributed by fax, mail, or direct printing on October 20, 2005 to the parties listed.

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Honorable Bernice Donald
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